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CC: FISCAL

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 United States of America

UNITED STATES DISTRICT COURT  
 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 EASTERN DIVISION

UNITED STATES OF AMERICA, ) NO. EDCV 08-1276 VAP (PLAx)

Plaintiff, )

v. )

\$35,530.20 IN UNITED STATES )  
 CURRENCY, )

Defendant. )

**CONSENT JUDGMENT AS TO THE  
 FOLLOWING DEFENDANT ASSETS  
 ONLY: \$29,530.20 OF THE  
 DEFENDANT \$35,530.00 IN UNITED  
 STATES CURRENCY**

[This Proposed Consent Judgment  
 Is Not Dispositive Of This  
 Entire Action]

[NOTICE OF LODGING CONSENT  
 JUDGMENT LODGED CONCURRENTLY  
 HERewith]

A. On or about September 17, 2008, plaintiff United States of  
 America ("the government" or "the United States of America")

1 filed a Complaint for Forfeiture alleging that the defendant  
2 \$35,530.20 in United States Currency ("defendant currency"), is  
3 subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

4 B. The government and potential claimant Herminia Lopez have  
5 agreed to settle this matter to avoid further litigation between  
6 them by entering into this Consent Judgment.

7 C. The Court having been duly advised of and having considered  
8 the matter, and based upon the mutual consent of the parties  
9 hereto,

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

11 1. This Court has jurisdiction over the subject matter of  
12 this action and over the parties to this Consent Judgment of  
13 Forfeiture.

14 2. The Verified Complaint for Forfeiture states a claim  
15 for relief pursuant to 21 U.S.C. § 881(a)(6).

16 3. Notice of this action has been given as required by  
17 law. No claims have been filed and no requests to extend the  
18 claim deadline have been made. The parties to this Agreement are  
19 unaware of any potential claimants to the defendants other than  
20 Lopez. The time for filing claims has expired. The Court deems  
21 that all potential claimants other than Lopez admit the  
22 allegations of the Verified Complaint for Forfeiture to be true.

23 4. The United States of America shall have judgment as to  
24 \$29,530.20 of the defendant plus all interest earned by the  
25 government on the entirety of the \$35,530.20 in United States  
26 currency, and no other person or entity shall have any right,  
27 title or interest therein. The United States Marshals Service is  
28 ordered to dispose of said assets in accordance with law.

1           5.     \$6,000.00 of the defendant, without any interest earned  
2 by the government on that amount, shall be returned to potential  
3 claimant Herminia Lopez. Said funds shall be forwarded by check  
4 made payable to "James J. Warner, Esq., Attorney-Client Trust  
5 Account," and shall be mailed to James J. Warner, Esq., Law  
6 Offices of James J. Warner, 3233 Third Avenue, San Diego,  
7 California 92103.

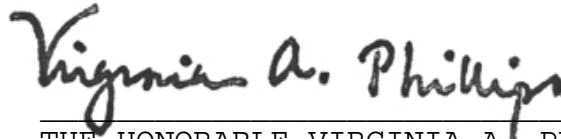
8           6.     Potential claimant Herminia Lopez hereby releases the  
9 United States of America, its agencies, agents, officers,  
10 employees and representatives, including, without limitation, all  
11 agents, officers, employees and representatives of the Drug  
12 Enforcement Agency, and its respective agencies, as well as all  
13 agents, officers, employees and representatives of any state or  
14 local governmental or law enforcement agency involved in the  
15 investigation or prosecution of this matter, from any and all  
16 claims, actions, or liabilities arising out of or related to this  
17 action, including, without limitation, any claim for attorney  
18 fees, costs, and interest, which may be asserted by or on behalf  
19 of potential claimant Herminia Lopez, whether pursuant to 28  
20 U.S.C. § 2465 or otherwise.

21 //

22 //

1           7. The Court finds that there was reasonable cause for the  
2 seizure of the defendant and institution of these proceedings  
3 against the said defendant. This judgment shall be construed as  
4 a certificate of reasonable cause pursuant to 28 U.S.C. § 2465.

5 DATED: February 26, 2009

6  
7 

8 THE HONORABLE VIRGINIA A. PHILLIPS  
9 UNITED STATES DISTRICT JUDGE

10 CONSENT

11 The parties hereto consent to the above judgment and waive  
12 any right to appeal this judgment.

13 DATED: January \_\_, 2009

14 THOMAS P. O'BRIEN  
15 United States Attorney  
16 CHRISTINE C. EWELL  
17 Assistant United States Attorney  
18 Chief, Criminal Division  
19 STEVEN R. WELK  
20 Assistant United States Attorney  
21 Chief, Asset Forfeiture Section

22 /s/

23 FRANK D. KORTUM  
24 Assistant United States Attorney

25 Attorneys for Plaintiff  
26 UNITED STATES OF AMERICA

27 DATED: January \_\_, 2009

28 /s/

JAMES J. WARNER

Attorney for Claimant  
Herminia Lopez